

No. 82-915

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ALEXANDER L. STEVAS,
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IN THE
Supreme Court of the United States

OCTOBER TERM, 1982

CLYDE R. DONNELL, HERBERT BOLER, THOMAS F. AKERS,
PAUL A. PRIDE, JAMES R. ANDREWS, Members of the
Board of Supervisors of the County of Warren, Missis-
sippi, Acting for and on behalf of the County of
Warren,
Petitioners

v.

UNITED STATES OF AMERICA

and

EDDIE THOMAS, SR., CHARLIE STEELE, FRANK H. SUMMERS,
ST. CLAIR MITCHELL, MRS. CHARLIE HUNT, TOMMIE
LEE WILLIAMS, SR., WILLIE JORDAN,
Respondents

On Petition for a Writ of Certiorari to the
United States Court of Appeals
for the District of Columbia Circuit

REPLY BRIEF

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REPLY BRIEF

The fact that the petition raises important federal questions,¹ some of which present a conflict in circuits,²

¹ For instance, the number of hours which, on their face, overlap similar legal work performed by attorneys representing the United States presents an issue almost identical with that now under consideration in *Hensley v. Eckerhart*, No. 81-1244, *i.e.*, compensation for time spent on work unrelated or unnecessary to the ultimate decision on the merits.

² See, *e.g.*, Brief in Opposition on Behalf of Eddie Thomas, et al. pp. 6-7 (agreeing that "substantial contribution" test used by the court below conflicts with approach taken by Ninth Circuit and arguing that the former is "too strict").

is not seriously disputed. While the remand order by the lower court is alluded to by respondents as a reason to deny review, any one of the significant rulings made by the court below fits well within precedent by this Court that decisions on important and clear-cut issues of law that would otherwise qualify for certiorari will be reviewed if they are important to the further conduct of the case. *United States v. General Motors Corp.*, 323 U.S. 373, 377 (1945); *Gillespie v. United States Steel Corp.*, 379 U.S. 148, 153 (1964). See generally, R. STERN & E. GRESSMAN, SUPREME COURT PRACTICE 301 (5th ed. 1978). A grant of certiorari is therefore proper.

Respectfully submitted,

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